

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (ABA) NO.14/2018

Pradip s/o Subhash Biswas

..vs..

State of Mah., thr. PSO Ramnagar, Chandrapur, District Chandrapur

.....
 Office Notes, Office Memoranda of Coram,
 appearances, Court orders or directions
 and Registrar's orders

Court's or Judge's Order

.....
 Shri A.R. Wagh, Counsel for the applicant.

Shri V.A. Thakare, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : JANUARY 18, 2018.

1. Heard learned counsel Shri A.R. Wagh for the applicant and learned Additional Public Prosecutor Shri V.A. Thakare for the State.

2. The applicant is apprehending his arrest in connection with Crime No.1649/2017 registered with Police Station Ramnagar, District Chandrapur for the offences punishable under Sections 65(A) and 83 of the Maharashtra Prohibition Act read with Section 188 of the Indian Penal Code.

3. According to the reply filed on behalf of the State, after the offence was registered, the investigating agency arrested the accused persons including one Laxman and according to the prosecution, he is the uncle of the applicant. Those persons were arrested while plying two Activa Vehciles. They were found to be

carrying with the liquor.

4. According to the reply, during the course of the investigation, one of the vehicles having registration No.MH-34/AZ/0192 is registered, in the name of the present applicant, with the Road Transport Authorities. According to the reply, the applicant had given the said vehicle on rent to the accused persons. This is the only allegation against the present applicant.

5. It is to be noted that on 8.1.2018, this Court has granted *ad interim* bail in favour of the applicant with directions to the applicant that the applicant shall attend the police station on 10.1.2018 and 11.1.2018. Accordingly, the applicant has attended the police station, is the statement made by learned counsel Shri A.R. Wagh for the applicant which is not disputed by learned Additional Public Prosecutor Shri V.A. Thakare for the State.

6. In view of this type of allegation made against the present applicant and the applicant has already attended the police station, in my view, custodial presence of the applicant is not at all required. Consequently, I pass the following order:

ORDER

(a) The criminal application is allowed.

(b) Applicant Pradip s/o Subhash Biswas be released on bail on he executing a P.R. Bond in the sum of Rs.25,000/- with one solvent surety of the like

.....3/-

amount, in the event of his arrest in connection with Crime No.1649/2017 registered with Police Station Ramnagar, District Chandrapur for the offences punishable under Sections 65(A) and 83 of the Maharashtra Prohibition Act read with Section 188 of the Indian Penal Code.

(c) Needless to state that the observations made in this order are purely for deciding the application for grant of bail only and learned Judge of the Court below, who shall be trying the Case, shall not get influenced by the observations made in this order.

(d) With this, the criminal application is allowed and disposed of.

JUDGE

!! BRW !!

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